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June 7, 2018

Via ECF

The Honorable Valerie E. Caproni
United States Courthouse
Southern District of New York
40 Foley Square - Courtroom 443
New York, NY 10007

Re: *Daily News Charities, Inc. v. USA Boxing, Metropolitan Association,*
No. 17-cv-08733-VEC

Dear Judge Caproni:

We represent Plaintiff Daily News Charities, Inc. (“DNC”) in the above-captioned matter. In accordance with Rule 1.C of Your Honor’s Individual Rules of Practice, we write to request an extension of the parties’ deadline of June 8, 2018¹ to submit a request that the Court retain jurisdiction over their settlement agreement to June 13, 2018. (*See* Dkt. 71, May 25, 2018 Order). Counsel for Defendant USA Boxing, Metropolitan Association (“Metro”) did not respond to DNC’s request for consent to this extension.

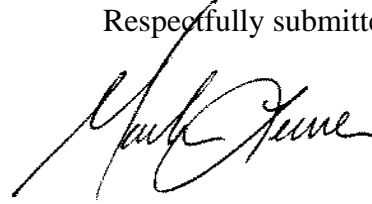
Despite DNC’s counsel’s efforts to obtain the signature on the settlement agreement that Defendant’s counsel represented was merely a formality and would be forthcoming weeks ago (*see* Dkt. 69, Letter of DNC to the Court dated May 24, 2018), Metro’s counsel inexplicably advised DNC’s counsel yesterday evening—nearly on the eve of the deadline for submitting the settlement agreement to the Court—that there were several “issues” with the settlement. Although DNC does not have high hopes for resolving these issues, in the event the parties are able to do so, DNC requests that the deadline for submission of the agreement be extended to June 13, 2018.

DNC’s counsel also respectfully requests that the Court maintain the June 15, 2018 deadline to submit an explanation as to why the case should not be dismissed, as DNC’s counsel

¹ Plaintiff’s counsel requests that the Court consider the above request an “emergency” within Rule 1.C of Your Honor’s Individual Rules of Practice not requiring 48 hours of notice given Defendant’s counsel did not advise Plaintiff’s counsel of the developments referenced herein until yesterday evening and since the time of the entry of the Court’s May 25, 2018 order until that point has refused to respond to Plaintiff’s counsel’s emails or telephone calls.

intends to submit a request by that date to re-open discovery should the parties be unable to resolve Metro's newly raised issues with the settlement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Lerner', written in a cursive style.

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cc: Johnnie Woluewich (via ECF)